

1 **REMARKS**

2 The Applicants appreciate the allowance of claims 1-4, 7-10, 13, 14, and 18, and the
3 indication at paragraph 10 of the Final Office Action that claims 5, 6, 11, 12, 15, and 16 are
4 directed to allowable subject matter. In view of the following arguments, the Applicants
5 respectfully request reconsideration of the rejection of claims 5, 6, 11, 12, 15, and 16 under 35
6 U.S.C. §112, second paragraph, and further request allowance of these claims.

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8 **CLAIMS 5, 6, 11, 12, 15, AND 16 ARE NOT INDEFINITE UNDER 35 U.S.C. §112, SECOND**
9 **PARAGRAPH**

10
11 The Applicants respectfully traverse the Section 112, second paragraph, rejection of
12 claims 5, 6, 11, 12, 15, and 16.

13 All of the Section 112 rejections are made in view of designations in the claims such as
14 "a second differential receiver" where no "first" differential receiver had been previously
15 introduced in the claim or parent claim. The basis for each rejection is summed up in the Final
16 Office Action at page 3, lines 6-10 as follows:

17 A second differential receiver without introducing [sic] first differential receiver,
18 and a second and third reference voltage without introducing [sic] first voltage, for
19 example claim 5, make the [sic] claim 5 indefinite [sic] that there is insufficient
20 antecedent basis for the limitation in the claim.

21 The electronic circuit which is the subject of the present invention employs multiple
22 instances of certain components such as differential receivers, multiplexers, and reference
23 voltages. The Applicants have chosen to use ordinals (e.g., first, second, third, etc.) to
24 differentiate these components in the disclosure. For example, the disclosure refers to a "first
25 differential receiver 302," a "second differential receiver 203," and a "third differential receiver

206.” In order to clearly and distinctly claim the subject matter which the Applicants regard as the invention, the Applicants have chosen to maintain the same ordinals in the claims to distinguish between components of the same type. That is, the components named using ordinals in the claims correspond exactly with the components named with the same ordinals in the disclosure. For example, claim 5 refers to “a reference voltage multiplexer connected to receive a first digital signal as a control signal, and having **second and third reference voltage inputs**” and further refers to “**a second differential receiver** having a positive input connected to receive the combined signal, and a negative input connected to receive an output of the reference voltage multiplexer.” The second and third reference voltage inputs and the second differential receiver referenced in claim 5 are first identified in the disclosure in the following passage which begins at page 8, line 26 of the disclosure.

Decoding arrangement 201 includes reference voltage multiplexer 202 and second differential receiver 203. Multiplexer 202 receives second and third reference voltage inputs (V2 and V3) and is controlled by signal A to pass one of those reference voltages to the negative input of differential receiver 203.

All of the elements in this passage are shown in Figure 2.

As shown in Figure 1 of the present application, the three circuits that are communicating with each other each have a respective decoding arrangement, 110, 112, or 114. As shown in Figures 2 through 4, each of these decoding arrangements includes a specific decoding circuit for decoding a respective signal from the combined signal. For example, Figure 2 shows a second signal (signal B) decoding circuit 201, while Figure 3 shows a first signal (signal A) decoding circuit 301. Claim 5 happens to claim the specific decoding circuit shown at 201 in Figure 2. A comparison of decoding circuit 201 and decoding circuit 301 reveals that circuit 201 does not

1 include the element referenced as the first reference voltage V1. Thus, since claim 5 is directed
2 to decoding circuit 201, claim 5 does not describe a first reference voltage input, but does refer to
3 the second and third reference voltage inputs. Also, although decoding circuit 201 includes the
4 second differential receiver 203, it does not require the component disclosed as the first
5 differential receiver, which is shown at 302 in Figure 3 and described in the disclosure at page 9,
6 lines 15-17. Thus, claim 5 refers to "a second differential receiver" but does not refer to the first
7 differential receiver.

8 Indefiniteness based on lack of antecedent basis may arise in some cases when a definite
9 article such as "the" is used to introduce an element for the first time in a claim, or when a
10 definite article is used to reference an element where two or more of the same element have
11 previously been referenced. In these cases it may be unclear as to which particular element is
12 being referenced in the claim. See M.P.E.P. §2173.05(e). However, a reference to "a second
13 element X" without any previous reference in the claim to "a first element X" does not raise any
14 antecedent basis issue.

15 The definiteness inquiry under 35 U.S.C. §112, second paragraph, is whether the claim
16 language makes the scope of the claim clear to a hypothetical person possessing the ordinary
17 level of skill in the pertinent art. M.P.E.P. §2171. If the claim language is such that the scope of
18 a claim would be reasonably ascertainable by those skilled in the art, then the claim is not
19 indefinite. Ex parte Porter, 25 USPQ2d 1144, 1145 (Bd. Pat. App. & Inter. 1992). **Furthermore,**
20 **the definiteness of language employed in a claim must not be viewed in a vacuum, but**
21 **always in light of the application disclosure.** In re Moore and Janoski, 169 U.S.P.Q. 236, 238
22 (C.C.P.A. 1971).

1 In the present application, each of the currently rejected claims properly introduces each
2 new component with an indefinite article and references each previously introduced component
3 with a definite article. Thus, no antecedent basis issue arises in any of these claims. There is
4 simply never any issue as to which component is being referenced in the claims. Furthermore,
5 the meaning and scope of each rejected claim is readily ascertainable simply by reference to the
6 disclosure because the same language used to name components in the claims is also used to
7 reference components in the disclosure. Thus, for example, it is clear that the "second
8 differential receiver" referenced in claim 5 refers to the second differential receiver 203
9 introduced in the disclosure at page 8 and shown in Figure 2. Because the scope of the rejected
10 claims is abundantly clear when considered in view of the application disclosure, the claims are
11 by no means indefinite under 35 U.S.C. §112, second paragraph.

12 For all of these reasons, the Applicants respectfully request that the rejections under 35
13 U.S.C. §112, second paragraph, be withdrawn and the case allowed.

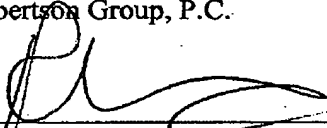
1 CONCLUSION

2 For all of the above reasons, the Applicants respectfully request reconsideration of claims
3 5, 6, 11, 12, 15, and 16 and allowance of these claims along with the previously allowed claims,
4 claims 1-4, 7-10, 13, 14, and 18. If the Examiner should feel that any issue remains as to the
5 allowability of these claims, or that a conference might expedite allowance of the claims, he is
6 asked to telephone the Applicants' attorney, Russell D. Culbertson, at the number listed below.

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8 Respectfully submitted,

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10 The Culbertson Group, P.C.

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14 By: 
15 Russell D. Culbertson, Reg. No. 32,124
16 Trevor Lind, Reg. No. 54,785
17 1114 Lost Creek Boulevard, Suite 420
18 Austin, Texas 78746
19 512-327-8932
20 ATTORNEYS FOR APPLICANTS

21
22 CERTIFICATE OF FACSIMILE

23
24
25 I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark
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29 Russell D. Culbertson, Reg. No. 32,124 